

## ZONING AND ADJUSTMENT BOARD

May 2, 2005

The Zoning and Adjustment Board of Sumter County, Florida convened on Monday, May 2, 2005 at 7:00 P.M. with the following Board members present: Larry Story, Chairman, Frank Topping, Dossie Singleton, Richard L. Cole Jr., Ron Berry, and Evan Merritt. Board members Richard Bradley, James Sutton, Todd Brown, Dale Nichols, Frank Szczepanski, and Rusty Mask were absent. Terry Neal, Zoning and Adjustment Board Attorney, and Kathy Ratliff, Board Secretary, were present. Sandy Cassels, staff member, was also present. Roberta Rogers, Director of Planning and Development, was absent.

The Board members led everyone in the pledge and prayer.

Mr. Story presented the proof of publication.

R2005-0041

Henry & Rose Bolduc

Mr. Topping made a motion to remove this case from the table. Mr. Cole seconded the motion and the motion carried. Mr. Henry Bolduc II, applicant for the property owners, was present and requesting a zoning change from R1M to RR1 on 2 one-acre tracts to bring the property into compliance with the Future Land Use Map. Four notices were sent. Of the four notices sent, none were received in objection and one in favor. There were no objections from the audience. Mr. Topping made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

SS 2005-0008

Marvin George Dumeny

Mr. Terry Crenshaw, representative for the property owner, was present. Mr. Crenshaw was requesting a land use change from agricultural to commercial. Mr. Crenshaw stated a survey of the property shows the property is 6.8 acres, not the 7.9 acres as shown on the application. (This information was obtained from the current tax roll.) Mr. Crenshaw read a letter from Mrs. Rogers into the record. Mr. Crenshaw submitted a map of the area showing Mr. Dumeny's property and the surrounding properties. Three notices were sent. Of the three notices sent, there was one objection and none in favor. The letter of objection was read into the record. There was one objection from the audience. Mr. Donald Bass was sworn in by Kathy Ratliff. Mr. Bass stated the following concerns regarding the property: storm water run-off, drainage, and the use of a septic tank. Mr. Bass also stated he would like to see this case tabled for one year to see if it would be possible for the Villages to provide central water and sewer. Mr. Bass requested the Board members do a site review. Mr. Crenshaw stated he was not aware of any concerns and the property had been used as a tree nursery until February of 2005. Mr. Topping made a motion to recommend approval of the land use change to the Board of Sumter

County Commissioners based on the information provided in the staff report. Mr. Merritt seconded the motion and the motion carried.

R2005-0045

Marvin Dumeny

Mr. Terry Crenshaw, representative for the property owner, was present. The request was for a zoning change from A-5 to CH. Three notices were sent. Of the three notices sent, there was one objection and none in favor. The letter of objection was read into the record. There was one objection from the audience. Mr. Bass expressed the same concerns as discussed in the previous case. Mr. James Ernst, potential buyer of the property, was sworn in. Mr. Ernst had an exhibit showing his potential plans for the property. This would include warehouses and showrooms with some outside storage. He explained engineers had done studies stating the property would handle separate septic tanks for each building, but his idea was more of a central septic. The Board members questioned Mr. Ernst about the water run off. He explained he would have a retention pond. Additional requirements, if necessary, would be addressed by the Southwest Florida Water Management District. Mr. Topping made a motion to deny the application. Mr. Berry seconded the motion. Upon roll call the vote showed as follows: Topping-aye, Cole-aye, Berry-aye, Merritt-nay, Story-nay, and Singleton-nay. The motion failed to carry. Mr. Merritt made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report with the condition drainage, storm water, and sewer be addressed at each level of development. Mr. Singleton seconded the motion. The motion carried 5-1 with Mr. Topping voting against the motion.

SS2005-0009

Roe Properties, Inc

Mr. Roe, property owner, was present. The request was for a land use change from agricultural to rural residential on 9.29 acre MOL. Mr. Roe explained he plans to build conventional homes on one-acre lots on this property. Seven notices were sent. Of the seven notices sent, there were three objections and none in favor. The letters of objection were read into the record. There were no objections from the audience. Due to statements in the objecting letters, Mr. Story requested clarification as to the location of the property. Mr. Roe explained the property was located at Beville's Corner. Mr. Topping made a motion to recommend approval of the land use change to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Merritt seconded the motion and the motion carried.

R2005-0047

Roe Properties, Inc.

Mr. Roe, property owner, was present. The request was for a zoning change from a non-vested C-2 to RR1C on 9.29 acres MOL. There were seven notices sent. Of the seven notices sent, there were three objections and none in favor. The letters of objection were read into the record. There were no objections from the audience. Mr. Topping made a motion to recommend approval of the rezoning to the Board of County Commissioners

based on the information provided in the staff report. Mr. Merritt seconded the motion and the motion carried.

T2005-0019

Garry & Karen Hinton

Mrs. Karen Hinton was present and requesting a temporary use permit for three years to allow a 5<sup>th</sup> wheel as a care receiver's residence for her father. There were five notices sent. Of the five notices sent, there was one in favor and no objections. There were no objections from the audience. Mr. Topping made the motion to approve the Temporary Use Permit request based on the information provided in the staff report. Mr. Merritt seconded the motion and the motion carried.

V2005-0001

The Villages of Lake-Sumter, Inc

Marty Dzuro, representative from the Villages, and Douglas Wade, Wade Surveying, were present representing the Villages of Lake-Sumter, Inc. A one-foot variance was requested as the setback was encroached upon and was not discovered until the final survey was completed before the closing transferring the ownership of the property. Mr. Topping made the motion to approve the variance request based on the information provided in the staff report. Mr. Cole seconded the motion and the motion carried.

R2005-0030

Sumter County Commerce Center, LLC

Mr. Topping made the motion to remove this case from the table. Mr. Cole seconded the motion and the motion carried. Mr. Greg Beliveau, Land Planning Group and representative for the applicant, was present. Mr. Beliveau explained the Comprehensive Plan Amendment has been approved. The request was for a zoning change from A5 and RPUD to CP on 30 acres MOL. There were seven notices sent. There were no letters in favor of or against the request returned. One of the proposed uses for the property is a hotel and restaurant. Central water and sewer will be provided by the Town of Lady Lake and the project will have 50% open space. Mr. Topping made the motion to recommend approval of the rezoning request based on information provided in the staff report with the conditions that sites A, B, C, D, and J will be the only sites that service stations with gasoline sales will be allowed. Mr. Merritt seconded the motion and the motion carried.

R2005-0038

SR 44, LC

Mr. Cole made the motion to remove this case from the table. Mr. Merritt seconded the motion and the motion carried. Mr. Greg Beliveau, Land Planning Group and representative for the applicant, was present. Mr. Beliveau explained the Comprehensive Plan Amendment has been approved. The request was for a zoning change from A5 and C2 to CP on 109 acres MOL. There were nineteen letters sent. There no letters in favor of or against the request returned. Mr. Beliveau explained the applicant had met with the neighboring property owners to discuss the proposed project. An agreement was reached

that worked for all parties involved. Buffers have been added along CR 231 and the rear of the property and any buildings that are constructed will not use that area for parking, the loading and unloading of trucks, etc. Central water and sewer will be provided by the City of Wildwood. Mr. Topping made the motion to recommend approval of the rezoning to the Board of Sumter County Commissioners based on information provided in the staff report. Mr. Merritt seconded the motion and the motion carried.

The Ordinances for Section 13-666 Lighting and Section 13-668 Dumpster Pad and Enclosure Standards, and The Final Draft for the Class 1 Landfill were tabled until the May 16, 2005 ZAB meeting when Mrs. Rogers will be in attendance.

The meeting adjourned at 8:20 P.M.